

Memorandum

MIAMI-DADE
COUNTY

Date: October 11, 2007

To: Honorable Chairman Jose "Pepe" Diaz
and Members, Airport and Tourism Committee

From: George M. Burgess
County Manager

Subject: DBE Goals Compliance Review of Miami-Dade Aviation Department Contracts
awarded in the Last Five (5) Years

ATC
Agenda Item No:
7(E)

The attached report has been prepared by the Miami-Dade Aviation Department (MDAD) in response to Resolution No. R-891-07 sponsored by Commissioner Rolle and adopted by the Board on July 24, 2007. This Resolution directed the County Manager to review all contracts with Disadvantaged Business Enterprise (DBE) awarded within the last five years or are still active and ascertain whether such DBE measures have been complied with.

Attachment A captures all contracts with DBE measures other than North Terminal Development contracts which are captured through Attachment B. Of the total forty-three (43) MDAD contracts reviewed, five contracts listed on Attachment A are identified as not having met or are not currently meeting the DBE goal. In addition, the following action(s) have been or will be taken against those contractors listed in the report who have not complied with contractually mandated DBE goals.

MDAD F034F, 15 Security Rooms

A Fisk Electric employee used FLP to meet the DBE goal of 14.9% while performing the electric work assigned FLP with Fisk Electric employees. On November 11, 2006 the U.S. Federal Court convicted the former Fisk Electric employee on 24 counts of wire mail fraud and money laundering and sentenced him to 5 years in prison. Additionally, Fisk Electric agreed to forfeit the sum of \$2.1 million to the United States as part of a Diversion Agreement.

MDAD ITB-02-03, MIA Security Equipment

A Fisk Electric employee used FLP to meet the DBE goal of 5.1% while performing electrical work assigned FLP with Fisk Electric employees. On July 10, 2007 the Board of County Commissioners approved the Fisk Electric DBE Recovery Plan to recover the deficit of \$448,000.00 on a future North Terminal Development (NTD) Project for the DBE work that was not performed by FLP on the project.

MDAD I114A, Building Management System

On-going meetings with the MDAD Project Manager and Honeywell representative to increase the DBE participation from 3.6% to 12%. The Project Manager stated in July 2007 that delays in the MDAD Capital Improvement Program (CIP) projects have impacted the schedule and cost of contracts to be performed and limited DBE participation. MDAD Facilities Development staff has directed the Project Manager to review the options and make recommendations on how to proceed to complete CIP projects and to increase the DBE participation.

MDAD E-02-02, Supplemental Services - MIA New North Runway

This contract was closed out in July 2004 and a review of the Monthly DBE Utilization Report for April 2004, identifies that 8% of the 10% DBE goal was achieved, but no final DBE utilization report was found in the contract file. MDAD staff has contacted the DAC Project Manager, the URS Corporation

and DBE's Nifah and Partners and San Martin Associates, to provide documentation to confirm compliance or non-compliance with the DBE goal of 10%.

MDAD E-03-05, MIA Track One Drainage Grading 1 and Pavement Improvements

The award of this contract was delayed from January 2005 to May 2007 due to performance issues by the prime consultant, BND, with another County Department. Since this project included Federal grant funds for the design and its timely completion was critical to receiving the grant funds, in May 2005 MDAD was authorized to complete the "design phase" only and achieved 2.2% DBE participation. Since the contract is now awarded, the contractor will provide a revised DBE subcontractor participation plan to meet the DBE goal of 25% and will be monitored closely during the construction phase of the contract.

DBE Monitoring and Compliance Procedures (49 CFR Part 26)

The MDAD DBE Program includes a monitoring and enforcement mechanism to verify that the work committed to DBE's at contract award is actually performed by the DBE's. This mechanism provides for a running tally of actual DBE attainments (i.e., payments actually made to DBE firms); it includes a provision ensuring that DBE participation is credited toward overall or contract goals when payments are actually made to DBE firms; and requires the following elements:

- Site inspections are conducted to verify that the DBE contractors identified as performing work on our contracts are actually doing the work. Inspections may include desktop audits where invoices are examined as well as payments.
- Subcontracts may be reviewed and employees interviewed to verify information that has been submitted.
- A notarized Monthly Utilization Report (MUR) is required from all contractors in which a DBE goal has been set. The reports provide the dollars paid to the prime contractor and what the prime contractor has paid each to their subcontractors. This data is entered into a database to be monitored for compliance with goals.
- Quarterly Audit Letter of DBE's to verify contract amount paid to date.
- Sanctions for violations.


Assistant County Manager

MDAD Contracts with DBE Participation: October 2002 Through August 2007 (Five-Year Project History)

REF #	PROJECT #	PROJECT DESCRIPTION	AWARD DATE	GENERAL CONTRACTOR	CONTRACT VALUE	DBE GOAL %	ACHIEVED DBE \$	ACHIEVED DBE GOAL %	DBE SUBS	CONTRACT COMPLETED %
1	F034F	15 Security Rooms	11/30/2001	AFCO Constructors	\$ 22,177,860	16%	-\$3,300,000	-14.9%	FXP Corp. FLP *1	100.0%
2	F126A	Security Operations Control Center Design	12/03/2002	Arquitectonica International Corp.	\$ 4,660,862	22%	\$257,714 \$120,465 \$604,670 \$135,510 \$29,900	5.5% 2.6% 13.0% 2.9% 0.6% 24.6%	Hammond & ASSOC., CES, Inc., Ross Baruzzini Nifan & Partners Trans Solutions	68.0%
3	H010A (B313A, A155A & A155S)	South Terminal Multi-Trade	08/05/2003	Parsons-Odebrecht Joint Venture	\$ 255,180,655	11%	\$250,733 \$1,046,675 \$1,184,638 \$5,626,236 \$1,131,499 \$3,125,129 \$3,948,011 \$1,130,134 \$437,806 \$3,776,839 \$261,167 \$443,206	0.1% 0.4% 0.5% 2.2% 0.4% 1.2% 1.5% 0.4% 0.2% 1.5% 0.1% 0.2% 8.8%	Landscape Svcs Prof Homestead Concrete Everett Painting Mercedes Electric Dr. Marble Creat. Home Maverick Construct. EPS Security Queen Contract Int. DODEC, Inc. Economy Signs DKG & Assoc, Inc.	91.0%
4	ITB MDAD 03-02	Security Procurement	04/04/2003	IBM	\$ 4,297,551	10%	\$1,069,894	24.9%	Puryear	100.0%
5	ITB MDAD 02-03	MIA Security Equipment	03/01/2004	Fisk Electric & Technologies	\$ 9,577,139	7%	-\$485,191 \$259,290	-5.1% 2.7%	FLP *2 Munway Technologies	95.0%

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MDAD Contracts with DBE Participation: October 2002 Through August 2007 (Five-Year Project History)

REF #	PROJECT #	PROJECT DESCRIPTION	AWARD DATE	GENERAL CONTRACTOR	CONTRACT VALUE	DBE %	ACHIEVED DBE \$	DBE GOAL %	DBE SUBS	CONTRACT COMPLETED %
6	I114A	Building Management System	03/01/2004	Honeywell	\$ 26,609,803	12%	\$67,900 \$159,449 \$201,436 \$104,384 \$138,630 \$16,294 \$6,790 \$28,176 \$234,242	0.3% 0.6% 0.8% 0.4% 0.5% 0.1% 0.0% 0.1% 0.9% 3.6%	DC Electric Clearview Electric Dato Electric Dodec Inc. Florida Electric Inc. Accura Electrical J.P. Moran Ruben Electric Chi Alarms	51.0%
7	E02-02	Supplemental Services-MIA New N. Runway Design	10/29/2002	URS Corp	\$ 1,316,250	10%	\$84,000 \$21,147	6.4% 1.6% 8.0%	Nifah and Partners San Martin & Assoc.	100.0%
8	B046B	North Runway	12/10/2000	Gilbert Southern	\$ 110,002,806	10%	\$6,314,160 \$6,007,851 \$109,061	5.7% 5.5% 0.1%	Portland Truck. Svcs. Alco Truck. Svce. Metro Engineer. Svcs.	100.0%
9	E01-01/	N. Runway (CIS) Design	05/16/2002	Parsons Brinckerhoff	\$ 6,743,853	24%	\$2,371,855 \$324,269	35.2% 4.8% 40.0%	BV Oil Co. Tropic Fence General Asphalt Roberts Traffic Corp	100.0%
10	F034E	MIA Terminal Wide Baggage	05/17/2006	Aarya Constr. & Design	\$ 2,085,000	12%	\$164,358	7.9% 0.0%	Ruben Electric Divine Painting	65.0%

MDAD Contracts with DBE Participation: October 2002 Through August 2007 (Five-Year Project History)

REF #	PROJECT #	PROJECT DESCRIPTION	AWARD DATE	GENERAL CONTRACTOR	CONTRACT VALUE	DBE GOAL %	ACHIEVED DBE \$	DBE GOAL %	DBE SUBS	CONTRACT COMPLETED %
11	F178A	MIA TRACT ONE Construction	01/04/2007	Central FL Equip. Rental	\$ 15,865,643	15%	\$0	0.0%	High Tech Concrete	2.0%
12	H023A	Kendall-Tamiami Runway	07/01/2004	H & R Paving	\$ 2,648,195	14%	\$374,440	14.1%	High Tech Striping	100.0%
13	H024B-1	MIA Runway 9/27 Pavement	08/01/2005	General Asphalt	\$ 14,104,543	6%	\$91,545 \$159,005 \$589,023	0.6% 1.1% 4.2%	Southern Transport Manuel Vera Roberts Traffic Corp.	91.0%
14	I181A	Pavement Reconstruction-TMB	12/04/2003	Marks Bros.	\$ 375,015	25%	\$94,668 \$5,793	25.2% 1.5% 26.8%	General Asphalt Roberts Traffic Corp.	100.0%
15	I185A	Pavement Reconstruction-OPF	12/04/2003	Marks Bros.	\$ 370,349	5%	\$7,456 \$1,120 \$14,274	2.0% 0.3% 3.9% 6.2%	General Asphalt Roberts Traffic Fence Connection	100.0%
16	0608-858594	Opa Locka Landsca Improvement	11/11/2006	Aparo Landscape Assoc.	\$ 723,250	15%	\$108,487	15.0%	Dozier & Dozier	98.0%
17	E03-05	MIA Tract One Design	5/08/2007	BND Engineers.	\$ 1,725,080	25%	\$37,573	2.2%	Nifah Partners	39.0%
TOTAL					\$ 478,463,854	11%	\$54,847,032	11.5%		

Notes:

*1 This percentage is shown as a negative number because the percentage goal was not achieved.

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Attachment B



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11608902
59370010

**DBE PARTICIPATION REPORT
NORTH TERMINAL PROJECT**

EXHIBIT I

REFERENCE #	CONTRACT NUMBER	CONSTRUCTION MANAGEMENT SERVICES	GENERAL CONTRACTOR	(1) CONTRACT VALUE	(2)=(3)/(1) DBE GOAL %	(3) DBE GOAL VALUE	(4)=(5)/(1) GOAL % ACHIEVED	(5) GOAL VALUE ACHIEVED	(6) DBE CONTRACT VALUE	CERTIFICATION #	DBE CATEGORY	NOTICE TO PROCEED DATE	CONTRACT COMPLETED %
18 thru 28	7808-SC-00000	CORE CONSTRUCTION MANAGEMENT SERVICES	PARSONS ODEBRECHT, J.V.	\$63,600,000	9.13%	\$5,806,814	4.40%	\$2,806,442	\$5,806,814	N/A	N/A	N/A	25%
18	SC-00001	CONSTRUCTION MANAGEMENT SERVICES	THE ARCHITECTURAL DESIGN CONSORTIUM, INC.				(4) = (5)/(5)	23.9%	\$552,852	2597	BLACK	11/1/05	
19	SC-00002/3	CONSTRUCTION MANAGEMENT SERVICES	CHAVES & ASSOCIATES				40.5%	482,470	\$1,191,800	11448	HISPANIC	11/1/05	40%
20	SC-00001	CONSTRUCTION MANAGEMENT SERVICES	CONSTRUCTORS CONSORTIUM, INC.				100.0%	\$582,730	\$582,730	3577	BLACK	11/4/05	100%
21	SC-007713/4	GENERAL CONSTRUCTION SERVICES	COMMERCIAL INTERIOR CONTRACTORS, CORP.				165.6%	\$591,273	\$1,580,000	2546	HISPANIC	3/13/06	165%
22	SC-00009	ELECTRICAL SERVICES	D.C. ELECTRIC, INC.				30.7%	\$24,532	\$80,000	4161	HISPANIC	3/14/06	31%
23	SC-00008	CONSTRUCTION MANAGEMENT SERVICES	G-T CONST. GROUP, INC.				37.8%	\$170,476	\$1,000,000	4201	HISPANIC	3/31/06	38%
24	SC-00005	CLEAN UP SERVICES	BMA CONSTRUCTION, INC.				27.8%	\$22,265	\$80,000	3872	BLACK	3/15/06	28%
25	SC-000016	NETWORK MANAGEMENT SERVICES	INTERLINK ENG. SERVICES				140.7%	\$118,446	\$84,000	1163	HISPANIC	5/1/06	141%
26	N/A	PROFESSIONAL SERVICES	MCO CONSTRUCTION & SERVICES, INC.				100.0%	\$9,344	\$9,344	3880	BLACK	12/31/05	100%
27	N/A	PRINTING SERVICES	WORLD PRINTING, INC.				100.0%	\$1,070	\$1,070	3958	CAUCASIAN	12/31/05	100%
28	SC-00010	GENERAL CONSTRUCTION SERVICES	OVERNITE SUCCESS				31.7%	\$31,660	\$100,000	2643	BLACK	4/16/07	32%



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**DBE PARTICIPATION REPORT
NORTH TERMINAL PROJECT**

CONSTRUCTION CONTRACTS - EXHIBIT I

REFERENCE #	CONTRACT NUMBER	DESCRIPTION	GENERAL CONTRACTOR	CONTRACT VALUE	(2) DBE COAL %	(3) = (1)*(2) DBE COAL VALUE	(4) DBE % GOAL % COMMITTED	(5)=(6)(1) PARTICIPATION GOAL % ACHIEVED	DBE SUB-CONTRACTORS	(7) DBE % SOA	DBE CONTRACT VALUE	DBE CERTIFICATION #	NAIVE CATEGORY	NOTICE TO PROCEED DATE
										DBE % SOA	DBE CONTRACT VALUE	DBE CERTIFICATION #		
29	SC-0004 745B WTS 16 NTP 4/22/2006	ELECTRICAL	DYNATELECTRIC COMPANY ADD WORK ORDERS	\$17562.140 \$1,929,864 \$5,892,144	21%	\$2,071,414	0%	0%	O ELECTRIC, INC. DAG & ASSOCIATES	N/A	END 5/5 \$112,120 22% 5/15/06	4181 11547	HISPANIC CAUCASIAN	11/08/2007
30	SC-0005 745B WTS 15 NTP 4/22/2006	MECHANICAL	WEATHERSTRUT, MAINTENANCE CORP., ADD WORK ORDERS	\$123,944.867 \$1,068,154 \$1,421,421	21%	\$3,143,314	7.1%	0.23%	GONZALEZ QUALITY INSULATION, INC. CHEROKEE ENTERPRISES, INC.	\$27,630 \$6,010 \$27,630	END 5/10/06 \$164,702 5/15/06 5/24/06	4047 4500	HISPANIC HISPANIC	6/17/07
31	SC-0010 745B NTP 6/10/2006	STRUCTURAL SHELL	BAKER CONCRETE CONST. ADD WORK ORDERS	\$23,800,000 \$191,823 \$23,851,823	11%	\$5,022,365	22.7%	11.7%	MCO CONSTRUCTION & SERVICES, INC. MERRIN DEVELOPMENT DAG & ASSOCIATES LTD.	\$426,431 \$1,121,713 \$1,255,415 \$7,465,543	END 5/10/06 \$171,622 \$210,000 \$11,471	340 820 11547	BLACK CAUCASIAN CAUCASIAN	11/08/2006
32	SC-0011 745B-746A 721F-721G 728F NTP 12/07/2006	ELEVATORS, ESCALATORS & HOLDING WALKWAYS	None ADD WORK ORDERS	\$15,568,716 \$15,528,716	N/A	N/A	N/A	N/A	N/A	N/A	END 5/10/06 \$115,000 \$115,000	11547	70%	70%
33	SC-0012 745B-746B NTP 12/07/2006	EXTERIOR CURTAIN WALL	MASONRY/ARTS ADD WORK ORDERS	\$5,546,823 \$5,500,823	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	END 5/10/06
34	SC-0017 721C 721E 721H 728A NTP 11/07/2006	COMPLETION OF MISCELLANEOUS WORK API MAINTENANCE FACILITY	THORNTON CONSTRUCTION CO. ADD WORK ORDERS	\$0.352,308 \$8,662,528 \$13,214,742	21%	\$2,775,535	21.0%	21.0%	THORNTON CONSTRUCTION DAG & ASSOCIATES LTD. MAYERICK CONSTRUCTION PCO MECHANICAL	\$2,390,025 \$85,154 \$22,195 \$2,394,522	END 5/10/06 \$11547 11/08/06	4046 11547 11/05	HISPANIC CAUCASIAN CAUCASIAN	11/08/2007
35	SC-0020 721F NTP 11/07/2006	L-C INFL GATE CONTROL TOWER PARKHAUT	CIRUMPTON CONSTRUCTION	\$2,274,105	21%	\$574,105	20%	13%	ACCURA ELECTRIC ALLIED CONTRACTORS, INC.	\$198,729 \$112,244 \$22,503 \$2,274,105	END 5/10/06 \$72,503 \$72,503	11547 11546	HISPANIC HISPANIC	12/06/2006



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DBE PARTICIPATION REPORT NORTH TERMINAL PROJECT

CONSTRUCTION CONTRACTS - EXHIBIT I

REFERENCE #	CONTRACT NUMBER	DESCRIPTION	GENERAL CONTRACTOR	(1) CONTRACT VALUE		(2) DBE GOAL %		(3) = (1)*(2)		(4) DUE DATE VALUE		(5)=(6)/(1)		(6) PARTICIPATION COAL. % COMPLETED ACHIEVED		(7) DBE SUB-CONTRACTORS %		(8) DBE CONTRACT % SCA		NOTICE TO PROPOSED DATE		NOTICE TO PROPOSED DATE		CONTRACT COMPLETED		
				\$16,113,520 \$16,113,520	GENERAL TRADES ADS WORK ORDERS	21%	21%	\$1,444,342 \$1,444,342	70%	25%	\$7,255,681 \$7,255,681	MURRAY DEVELOPMENT	70%	14,816,616 14,816,616	80/20	CAUCASIAN CAUCASIAN	10/20/06	51%								
36	SC-00022 NTP 10200006	GENERAL TRADES	MURRAY DEVELOPMENT ADS WORK ORDERS	\$16,113,520 \$16,113,520		21%	21%	\$1,444,342 \$1,444,342	70%	25%	\$7,255,681 \$7,255,681	MURRAY DEVELOPMENT	70%	14,816,616 14,816,616	80/20	CAUCASIAN CAUCASIAN	10/20/06	51%								
37	SC-01013 17TC	APN TOPPING'S LAS REPLACEMENT	STRUCTURAL GROUP, INC.	\$170,380 \$170,380		21%	21%	\$107,746 \$107,746	43%	5%	\$13,520 \$13,520	O.H.G. & ASSOCIATES LTD. PIC MECHANICAL	5%	11,547 11,547	11,705 11,705	CAUCASIAN CAUCASIAN	21/20/07 21/20/07	95%								
38	SC-02024 7SCB	ROOFING	DECKTRONIC SERVING SERVICES ADS WORK ORDERS	\$1,774,430 \$1,774,430		NA%	NA%					NA%	NA%													
39	SC-02005 13A-T39 T40A-T39E NTP 0300007	GENERAL TRADES	MECH CORP.	\$11,188,000 \$11,188,000		21%	21%	\$2,345,400 \$2,345,400	23.76%	0.12%	\$10,196 \$10,196	TITAN CONSTRUCTION	21.70%	\$2,450,000 \$2,450,000	10/19	BLACK	SHAY	5%								
40	SC-02012 7TD NTP 0300007	RELOCATE AIRPORT MAIN ENTRANCE EAST CONTROL ZONE 16	THORNTON CONSTRUCTION CO.	\$1,725,511 \$1,725,511		21%	21%	\$182,557 \$182,557	0%	0%	\$10,000 \$10,000	*APEX AC CONTRACTORS RUBEN ELECTRIC PIC MECHANICAL THORNTON	20%	\$146,076 \$146,076	10/26 10/26	11,725 11,725	4016 4016	CAUCASIAN CAUCASIAN	32/10/07 32/10/07	95%						
41	SC-02011 7TB T10 A NTP 0300007	AA & MICHUA RELOCATION 8-15 INBOUND CONVEYOR SOUTH ACCESS	ALLIED CONTRACTORS, INC.	\$1,640,000 \$1,640,000		21%	21%	\$145,070 \$145,070	0.50%	0%	\$10,000 \$10,000	ALLIED CONTRACTORS, INC. ACCURA ELECTRIC	40.00%	\$116,645 \$116,645	11/27 11/27	11,648 11,648	4016 4016	HISPANIC HISPANIC	32/10/07 32/10/07	95%						
42	SC-00013 741 B NTP 030007	AB RIFLE SHELL	BAKER CONCRETE	\$12,432,350 \$12,432,350		21%	21%	\$1,651,375 \$1,651,375	0%	0%	\$10,000 \$10,000	MCD CONSTRUCTION	30,220,500	3,940 3,940	BLACK											
43	SC-00014 742 B NTP 030007	BYPASS CORRIDOR	LOTSPEECH COMPANY INC.	\$4,687,474 \$4,687,474		21%	21%	\$102,141 \$102,141	0%	0%	\$10,000 \$10,000	COMMERCIAL INTERIOR CONTRACTORS	44,119 44,119	2,340 2,340	HISPANIC											

*Indicates not DBE certified

1124-285-843 16.77% \$98,454.526 11.63% \$14,460.613

29 Item 43 SUMMARY

1124-285-843